

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF COLRAIN**

**OFFICE OF THE CUSTODIAN
AUCTION OF PROPERTY ACQUIRED BY FORECLOSURE OF
TAX TITLE**

**TO THE FORMER OWNER OF RECORD AND TO ALL OTHERS
INTERESTED:**

**Notice is hereby given that on Tuesday, the 29th of April 2014
beginning at 10:00 a.m., at the Colrain Town Hall, 55 Main Road,
acting on behalf of the Town of Colrain and in accordance with the
provisions of Massachusetts General Laws, Chapter 60, §77B,**

**I SHALL OFFER FOR SALE AT PUBLIC AUCTION the hereinafter
described properties acquired by said town by foreclosure of the tax
title thereon.**

1. Property Location: 89 Call Road
Description: .67 acres with any buildings thereon
Assessor: 1050 0010 00000
Franklin Registry of Deeds: Book 1206, Page 472
Final Judgment in Tax Lien Case: Book 5495, Page 233

2. Property Location: Greenfield Road
Description: .17 acres
Assessor: 1270 0043 00000
Franklin Registry of Deeds: Book 863, Page 49
Final Judgment in Tax Lien Case: Book 1235, Page 693

3. Property Location: Jacksonville Road
Description: .310 acres with any buildings thereon
Assessor: 1300 0008 00000
Franklin Registry of Deeds: Book 1406, Page 74
Final Judgment in Tax Lien Case: Book 4791, Page 195

4. Property Location: North Green River Road
Description: 2.08 acres
Assessor: 4180 0033 00030
Franklin Registry of Deeds: Book 2506, Page 68
Final Judgment in Tax Lien Case: Book 4761, Page 52

*** For more information on the above-mentioned parcels, please contact Kris Nartowicz, Colrain Town Treasurer, Tax Title Custodian at 413.624.5549.

**TOWN OF COLRAIN
SALE OF TAX POSSESSIONS
TERMS AND CONDITIONS**

1. All properties will be sold "as is". The Town of Colrain, its Custodian, employees, representatives and/or agents make NO REPRESENTATIONS AS TO THE CONDITION OF ANY STRUCTURES OR THE INSURABILITY OR MARKETABILITY OF THE TITLE OTHER THAN THE TITLE VESTS IN THE TOWN OF COLRAIN BY LAND COURT DECREE OF FORECLOSURE.
2. Prospective purchasers are responsible for investigating the suitability of the parcel(s) for their intended purpose prior to the auction.
3. All properties will be sold subject to any existing environmental conditions, if any, including but not limited to hazardous waste conditions, which may or may not be in compliance with any applicable laws, policies or regulations.
4. Any error, misstatement or omission in the description of the property will not annul the sale, or be grounds for any abatement or compensation.
5. The following person(s) shall not be qualified to be the successful bidder; (1) the prior owner of the property or his/her agent, representative, assign or straw; (2) any person currently delinquent in paying his/her own property taxes or other charges to the Town of Colrain; and (3) any person who was or is currently a party to a tax title foreclosure by the Town of Colrain.
6. Upon receipt of full payment, the Town Treasurer will execute, deliver, and record on behalf of the Town of Colrain a deed transferring title of said parcel to the successful buyer.
7. The successful buyer will be required to: 1) sign and file a disclosure statement pursuant to M.G.L. c. 7, § 40J giving the names and addresses of all persons who will have a beneficial

interest in the property with the Commissioner of Capital Asset Management and Maintenance; and 2) sign under the penalties of perjury an affidavit indicating that no one who would gain equity in the property has been convicted of a crime involving the willful and malicious setting of a fire or of a crime involving the aiding, counseling or procuring of a willful and malicious setting of a fire, or of a crime involving the fraudulent filing of a claim for fire insurance; or is delinquent in the payment of real estate taxes to the Town of Colrain, or if delinquent, that a pending application for abatement of such tax, or a pending petition before the appellate tax board or the county commissioners has been filed in good faith.

In order to qualify as a bidder and bid at auction one must be present with a deposit check of \$500. The deposit must be in the form of certified check, money order or bank check or attorney IOLTA check. **NO PERSONAL CHECKS WILL BE ACCEPTED.** The remainder of the purchase price must be paid within 45 days or sooner by certified check, money order, bank check or attorney IOLTA check. Failure to pay the remainder of the purchase price by June 13, 2014 will result in the forfeiture of the deposit to the Town of Colrain and the sale will be made to the second highest bidder.

8. Pro forma taxes will be calculated and must be paid pursuant to M.G.L. c. 44, §63A.

9. The balance of the contract sale amount, pro forma taxes, a special assessment of \$500.00 to cover closing costs and the deed recording fee of \$125.00 must be paid by **certified funds** within forty-five (45) days of the auction. Failure to pay the remainder of the balance within forty-five (45) days will result in the forfeiture of the deposit to the Colrain will be made to the second highest bidder.

10. All parcels will be sold as is. If the premises are serviced by a septic/disposal system, Buyer will be solely responsible for inspecting and/or upgrading the system in accordance with DEP Title 5 310 CMR, Section 15.301(f) after the recording of the Treasurer's Deed.

11. The Custodian reserves the right to reject any bid at the auction or any adjournment thereof which, in his/her opinion, does not meet the minimum bid or approximate the fair market value of the property.